

The Residential Division of the State Licensing Board for Residential and General Contractors met via conference call on **June 7, 2006** at the Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia for the purpose of discussing business.

**Members Present:**

Allen Richardson, Division Chairperson  
Bob Barnard, Division Vice Chairperson  
Steve Cash  
Mark Herbert  
Philip Thayer

**Others Present:**

Kyle Floyd, Executive Director  
Chris Helms, Board Attorney  
Alison Martin, Board Secretary  
Mark Grant, Regulatory Agent/ Enforcement Section  
Greg P. Blanchett, Applicant  
Kevin Veler, Attorney representing the National Association of the Remodeling Industry (Atlanta Chapter)

At 10:00 a.m., Division Chairperson Richardson called the meeting to order.

A motion was made by Bob Barnard, seconded by Philip Thayer; and the Division voted unanimously to accept the minutes from the May 3, 2006 Board meeting.

A motion was made by Bob Barnard, seconded by Philip Thayer, and the Division members present: Allen Richardson, Steve Cash, Mark Herbert, Bob Barnard and Philip Thayer voted unanimously to go into Executive Session for the purpose of discussing applications and investigations.

Chairperson Richardson moved for the Division to go back into open session.

A motion was made by Bob Barnard and seconded by Steve Cash to ratify and approve the following for licensure as a Residential Basic Contractor. The Residential Basic Division unanimously approved the motion.

**Residential Basic Individual**

Allen, William Richard  
Badcock, Anthony Bruno  
Batten, Jack D.  
Bridges, William Dow  
Caradine, Vickey Annette Harp

Chadwick, Joseph Carl  
Davis, Teddy Alan  
Dell, Sylvia Jeanine  
Dresser, Gary Lee  
Durden, Charles Allen  
Hannah, Jody Wayne  
Harker, Charles Scott  
Harper, David James  
Hillis, Ronald Steven  
Hubbard, Roy Cleo  
Jeffcoat, Darrell Dean  
Johnson, Charles Daniel  
Johnson, Willie Lee  
Lanier, Don Benjamin  
Long, James H.  
Maddox, Brian  
McCurry, Terry Willis  
McGuire, Robert Lewis  
Nix, Aaron Jacob  
Owens, Richard Anthony  
Qualtieri, Robert John  
Reid, Clay King  
Rogers, Randy L.  
Roland, Brandon Craig  
Tisdall, Allen Joseph  
Tritt, Jimmy Marvin

### **Residential Basic Qualifying Agent**

Adamson, Michael George of Forrest Homes, Inc.  
Atzenhofer, Karl E. of One of a Kind Homes, Inc.  
Aycock, Jeff A. of Jeff Aycock Builders, Inc.  
Baker, Mitchell Leon of M.A.B. Homebuilders, Inc.  
Barker, Eric Tod of Georgia Peach Homes, Inc.  
Barton, Stephen Christopher of White Cap Corporation  
Beam, Byron Paul of Beam & Associates, Inc.  
Bearden, Raymond Earl of Birdco Builders, Inc.  
Bell, Anthony Jay of Anthony Bell Enterprises, Inc.  
Black, Thomas Wyndell of Black & David Homes, Inc.  
Blalock, Elwyn E. of Blalock Custom Homes, Inc.  
Bonner Jr., Daniel Thomas of Atwood Properties, Inc.  
Bouy, Brett Joseph of Bouy Brothers Builders, Inc.  
Bouy, Mark Trouard of Bouy Brothers Builders, Inc.  
Bryson, Jimmy of Bearden & Bryson Construction, Inc.  
Bullington, Jon Wayne of Wayne Bullington Construction Company, Inc.  
Butera, Kenneth Charles of Homes by Ken Butera, Inc.

Carpenter, Kevin Edward of Brookwood Construction, Inc.  
Cato, Charles L. of Buckwood Homes, Inc.  
Christensen, Jens Nybo of Danecraft, Ltd.  
Clark Jr., Wallis Gordon of W.G.C. Properties, Inc.  
Clem, William Dennis of Front-Line Homes, Inc.  
Clemons, Stephen D. of Sunridge Construction, LLC  
Collier, Ralph Michael of Collier & Collier, Inc.  
Conner, Loran Harvey of Loran Conner, Inc.  
Cook, John Daniel of JCD Enterprises, Inc.  
Cotton, James Owen of Builders, II Inc.  
Criswell, Tony of C & D Custom Homes, Inc.  
Crozier, Jason Samuel of Crozier Construction, Inc.  
David, William Bradnock of Black & David Homes, Inc.  
Dozier, Don G. of Summer Homes, Inc.  
Dudley, Randy of Dudley & Sons Enterprises, Inc.  
Durden, Velma Louise Cates of C&D Custom Homes, Inc.  
Eddington, Robert Michael of Valdosta-Lowndes County Habitat for Humanity  
El-Itr, Zuhair Musa of Accolade Construction, Inc.  
Elrod, Don R. of C & E Properties and Development  
Enterkin Jr., Steven Wayne of Enterkin Builders, Inc.  
Ewing, Jerrill H. of Ewing Homes, Inc.  
Foerst, Scott Jared of Sawhorse, Inc.  
Foster, Black McRae of Georgia Mountain Timber, Inc.  
French, Jeffrey Adam of Sellars-French Builders, Inc.  
Griffin, Stephen Burt of Stephen Griffin Construction, Inc.  
Hall, Dennis Milton of Dennis Hall Builders, Inc.  
Handley, Howard B. of One of a Kind Homes, Inc.  
Harasemiuc, Dorin of M&D Contractors, Inc.  
Harrison, Rex Allen of Tri-Star Homes, Inc.  
Henderson, Charles B. of Ridgewood Homes, LLC  
Hill, Maxwell Johnny of M.J. Hill Construction, LLC  
Hollis, Martin Derek of Millstone Properties, Inc.  
Hoover, Becky L. of Just Us Construction, Inc.  
Jarrette, Janet L. of Legacy Homes, Inc.  
Jarrette, Scott Charles of Legacy Homes, Inc.  
Jones, Louis D. of Milton Jones Homes, Inc.  
Kelly, Joseph Brian of J.K. Rentals, Ltd.  
Kovac, James Chris of Beam & Associates, Inc.  
Lamb, Charlene Parton of Willow Tree Designs, Inc.  
Lawrence, Scott Patrick of Scott Lawrence, Inc.  
Lex, James Andrew of Jalcor Construction Co., Inc.  
Long, Anthony Wayne of Stone Mountain Construction, Inc.  
Lunsford, Perry Ross of Lunsford Construction, Inc.  
Lynch, Michael Wayne of Heritage Land & Development Company  
Macauley, Kevin John of Westminster Homes, Ltd.  
Malone, Bryan David of New Life Construction, LLC  
Martin, Jerry Allen of Jerry Martin Construction, Inc.

Martin, Michael Anthony of Ogilvie Custom Home Builders, Inc.  
Miller, Carol Jean of Miller Built Homes, Inc.  
Moore, Harry Layton of Creekside Builders, Inc.  
Moore, Russell Scott of Pine Pointe, Inc d/b/a Precision Builders  
Moore, Walter Allan of Ogilvie Custom Home Builders, Inc.  
Mordic, Charles Bradford of Mordic Construction, Inc.  
Morris, Joseph Thad of Ogilvie Custom Home Builders, Inc.  
Morgan, Anthony Wayne of Morgan's Building, LLC  
Nelson, Ben L. of Ben Nelson Contractor, Inc.  
Newton III, Will Hill of The Excelsior Group, Inc.  
Nicoara, Mihai Filip of M & D Contractors, Inc.  
O'Connor, John F. of J.O.C. Properties, Inc.  
Powell, Terry Keith of Terry Powell Construction Company, Inc.  
Powers, Timothy Legler of Powerhouse, Inc.  
Presten, Paul L. of Presten Contracting, Inc.  
Prittie, Steven Neil of Hawthorn, Inc.  
Ray, Charles C. of CCM Homes, LLC  
Ray, Robert Charles III of Northridge Homes, LLC  
Reed, Todd Wayne of Designs by Todd W. Reed, Inc.  
Reimers, Wilson Don of Creekside Builders, Inc.  
Robinson Jr., John Alva of J.A. Robinson Construction, Inc.  
Schafer, Robb Alan of Enotah Custom Homes, LLC  
Scott, Skot of Skot Enterprises, Inc.  
Sharp, Thomas E. of Sharp Residential, LLC  
Skalak, Victor Shaw of Front-Line Homes, Inc.  
Speak, Craig A. of Craig Alan Homes, Inc.  
Spears, Ernest Little of M & D Builders, Inc.  
Strickland, Christy Michelle Chumley of AMC Builders, Inc.  
Strickland, Mark D. of Spec. Built, Inc.  
Strother, Victor E. of NES Construction, Inc.  
Tidmore, Gregory Allen of Network Construction, Inc.  
Wagner, Robin Bruce of Kathleen Day & Associates, Inc.  
Wall, John Bryan of John Wall Builder, Inc.  
Watts, James Anthony of Prestige Builders Group  
Weaver, Shelia Jo Tussey of John C. Weaver Homebuilders, Inc.  
White, Bruce Wood of The Windmere Company, Inc.  
Williams, Harris Drew of Success Homes, Inc.  
Wilson III, Olin C. of All Care Home Improvement, Inc.  
Woodall, Thomas Raymond of J.Gid & Co., Inc.  
Wylie, Philip T. of Valleybrooke Homes, Inc.

A motion was made by Steve Cash and seconded by Philip Thayer to ratify and approve the following for licensure as a Residential Light Commercial contractor. The Residential Light Commercial subdivision unanimously approved the motion.

### **Residential Light Commercial Individual**

Lowrimore, Donald Lee

### **Residential Light Commercial Qualifying Agent**

Crisp, Thomas Keith of Crisp Contracting, LLC

A motion was made by Bob Barnard, seconded by Mark Herbert; and the other members present in the Residential Basic Division voted unanimously to deny the following for licensure:

### **Residential Basic, Qualifying Agent**

Ron C. Coker, Jr., Residential Basic Qualifying Agent for Artistic Pools, Inc.

A motion was made by Steve Cash, seconded by Philip Thayer; and the other members present in the Residential Light Commercial subdivision voted unanimously to deny the following for licensure:

### **Residential Light Commercial, Individual**

Charles Mullins

### **Residential Light Commercial, Qualifying Agent**

Fenelon Pimenta, Qualifying Agent for ITA- Brick & Tile, Inc.

Robert Michale Trotter, Qualifying Agent for Mike Trotter General Contractors, Inc.

Executive Director, Kyle Floyd, asked the Division how he should review Residential Basic applications that have a conviction. He specifically wanted to know if he could approve an applicant for a Residential Basic contractor's license if that person only had one misdemeanor conviction such as a DUI, or if the Residential Basic Division would need to review all such applications. The Division discussed many options in response to Kyle Floyd's question and Board Attorney Chris Helms reminded the Division of O.C.G.A 43-41-19 and its reference solely to felonies or crimes of moral turpitude. Chris Helms elaborated that they needed to be mindful of what O.C.G.A 43-41-19 states in relation to the denial of licensure and also the Division needed to make sure their decision was consistent with other discussions of this nature.

A motion was made by Bob Barnard and seconded by Mark Herbert to allow Executive Director, Kyle Floyd, the authority to approve an applicant for

licensure who had no more than two DUIs in the past five years; but an applicant who had more than two DUIs in the past five years had to be reviewed by the Residential Basic Division. The Division voted unanimously to approve the motion.

The Division discussed how to review applicants who have filed for bankruptcy. Mark Herbert brought up the discussion how to consider these applicants that have just been discharged from bankruptcy. Kyle Floyd, Executive Director, reminded Mark Herbert that in the May 3, 2006 Board meeting, the Board collectively decided that "[...] any bankruptcy ten years or less must be considered by the Board or by the appropriate Division." (see May 3, 2006 Board meeting minutes) Board Attorney, Chris Helms, asked the Division to consider how bankruptcy or the discharge of bankruptcy is a determinate of the competency of an individual and he asked the Division to consider which type of bankruptcy the applicant had filed. Chris Helms stressed the importance of incorporating this consideration into their final decision.

Mark Herbert suggested the Division can fully consider an applicant who has been discharged from a bankruptcy five or more years. Chris Helms responded to Mark Herbert's suggestion by saying that he does not have an issue with the five year mark, rather he would like the Division to incorporate how being discharged from bankruptcy for five or more years is a determinate of one's competency.

A motion was made by Bob Barnard and seconded by Mark Herbert that states a bankruptcy discharged for more than five years will not prohibit an applicant from being licensed if the applicant meets all other requirements. If an applicant has been discharged from bankruptcy less than five years, that applicant would have to be considered by the Division. The Division voted to unanimously accept the motion.

Chris Helms said that he was fine with the Division's motion as long as they stayed consistent.

The Division discussed what acceptable substitution would be for Building Permits or Certificates of Occupancies for those applicants who completed projects in counties that do not issue such documentation.

A motion was made by Bob Barnard and seconded by Mark Herbert that for those applicants who cannot provide either a Building Permit or a Certificate of Occupancy, an acceptable substitution to be considered on a case by case basis would be Owner Affidavits verifying the contractor performed the work and completed the project(s) to code. Also mentioned was the need for the Building Department in said county to verify that a Building Permit or a Certificate of Occupancy was not issued for the mentioned project(s). Bob Barnard also suggested that a comprehensive list of counties that do not issue building permits or certificates of occupancies was needed for the Division to give full

consideration to an applicant in this circumstance. The Division voted unanimously to accept the motion.

Executive Director, Kyle Floyd, gave the Executive Director's report to the Division. The Division was updated on the Request for Proposal (RFP) and he discussed the fact before July 1, 2006, the Board must elect a new chairman. It was decided that in order to make this position official, a Board conference call allowing a vote for such must take place before July 1, 2006.

The Division discussed new business items. Bob Barnard suggested adding, during the 2007 Legislative session, degrees or classes for the Residential Basic contractor license, which would focus more attention on remodeling and "specialty contractors." It was decided that the meeting in July would be conducted by the Division and it would take place July 5, 2006 via conference call.

With no other business for the Division to discuss, Division Chairperson Richardson adjourned the meeting at 11:25 a.m.

**Minutes Recorded by:**

**Alison Martin, Board Secretary**

**Reviewed/Edited by:**

**Kyle Floyd, Executive Director**